

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STATE OF TEXAS, )  
Plaintiff, )  
vs. ) No. 3:20-CV-1391-M-BH  
)  
LAWRENCE HILL, )  
Defendant. )

ORDER OF THE COURT ON RECOMMENDATION REGARDING  
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

- ( ) The request for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The request for leave to proceed *in forma pauperis* on appeal is **DENIED** because the Court certifies pursuant to Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith. In support of this certification, the Court incorporates by reference the magistrate judge's findings, conclusions, and recommendation, filed in this case on June 19, 2020 (doc. 18). Based on those findings, this Court finds that the appeal presents no legal points of arguable merit and is therefore frivolous. The request for leave to proceed *in forma pauperis* on appeal is also denied because the movant is subject to a sanctions order prohibiting him from seeking *in forma pauperis* status in an attempt to initiate an action in this court at any time within five years from April 18, 2017.

(X) Although this Court has denied leave to proceed *in forma pauperis* on appeal, the movant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). See Fed. R. App. P. 24(a)(5).

DATE: October 26, 2020

  
BARBARA M. G. LYNN  
CHIEF JUDGE